



 5775 Morehouse Drive,
 San Diego, California 92121-2779
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DEC 14 2005

THIS MESSAGE IS INTENDED ONLY FOR THE USE OF THE INDIVIDUAL TO WHOM IT IS ADDRESSED AND CONTAINS INFORMATION THAT IS PRIVATE AND/OR PROPRIETARY. If the reader of this message is not the intended recipient, or the employee or Agent responsible for delivering the message to the intended recipient, you are hereby notified that any dissemination, distribution or copying of this communication is strictly prohibited. If you have received this communication in error, please notify us immediately. Thank you!

Facsimile Transmittal

DATE: December 14, 2005
 TO: USPTO
 ATTN: MISSING PARTS
 RE: Serial No. 10/537,837
 FAX: 571-273-8300
 FROM: Nicholas J. Pauley, Reg. No. 44,999
 Number of Pages Sent: 6 (Including this transmittal cover sheet)

ATTACHED HERETO IS A RESPONSE TO
 MISSING PARTS IN (2) PAGES, DECLARATION AND POWER OF
 ATTORNEY (1) PAGES AND form pct/do/eo/903 (371 Formalities Notice
 (2) PAGES.
 PLEASE CALL ME IF YOU HAVE ANY QUESTIONS. Ann Andrews
 858-545-8618

I hereby certify that this correspondence is being sent VIA FACSIMILE to the Commissioner of Patents at fax number (703) 746-4060. Attention: Office of Missing Parts, on:

December 14, 2005

(Date of Deposit)

Ann Andrews

(Name of the Person Making the Deposit)

(Signature)

1

(MPARTSWFEE.VER.1.7-07/30/03)

Attorney Docket No.: 020541

COMBINED DECLARATION / POWER OF ATTORNEY

AS BELOW NAMED INVENTOR, I HEREBY DECLARE THAT: This Declaration is of the following type:

☒ Original
☐ Continuation

☐ Supplemental

☐ Continuation-In-Part
☐ National Stage of PCT

☐ Divisional

My residence, post office address and citizenship are as stated below next to my name: I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention A Method of and Apparatus for Adaptive Control of Data Buffering in a Data Transmitter the specification of which:

☒ is attached hereto,
☐ was filed on 11/27/2003 as Serial No. 10/537,837.
☐ was amended on (if applicable).
☐ was described and claimed in PCT International Application No. filed on and as amended under PCT Article 19 on

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above. I acknowledge the duty to disclose information which is material to the examination of this application in accordance with Title 37, Code of Federal Regulations, Sec. 1.56(a).

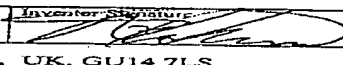
I hereby claim foreign priority benefits under Title 35, United States Code, Sec. 119 of any foreign application(s) for patent or inventor's certificate or of any PCT International application(s) designating at least one country other than the United States of America listed below and have also identified below any foreign application(s) for patent or inventor's certificate or any PCT International application(s) designating at least one country other than the United States of America filed by me on the same subject matter having a filing date before that of the application(s) of which priority is claimed.

(Country)	(Application No.)	(Day/Month/Year/Filed)	Priority Claimed
			(Yes) (No)
I hereby claim the benefit under Title 35 USC 119(e) of any United States provisional application(s) listed below:			
(Serial No.)	(Filing Date)		

I hereby claim the benefit under Title 35 USC 120 of the United States application(s) listed below, and insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35 USC 112, I acknowledge the duty to disclose material information as defined in Title 37 CFR 1.56(a) which occurred between the filing date of the prior application and the national or PCT International filing date of this application:

(Serial No.)	(Filing Date)	(Status)
I hereby appoint the attorneys and/or agents associated with Customer No. 23696 to prosecute this application and to transact all business in the U.S. Patent and Trademark Office connected therewith. Please direct all telephone calls to Philip R. Wedsworth at (858) 631-4404 and address all correspondence to: QUALCOMM Incorporated, Patent Department, 5775 Morehouse Drive, San Diego, California 92121-1714.		

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Full Name of First or Joint Inventor Nigel P. Robinson	Inventor Signature 	Date 14 DEC 2005
Residence 279 Farnborough Road, Farnborough, UK, GU14 7LS		Citizenship Great Britain
Post Office Address 279 Farnborough Road, Farnborough, UK, GU14 7LS		

Page 1

(COMBDECL-FOA.VER.1.9-02/04/00)

PAGE 1/3 * RCVD AT 12/14/2005 5:04:08 PM [Eastern Standard Time] * SVR:USPTO-EFXXRF-6/25 * DNIS:2738300 * CSID:* * DURATION (mm:ss):01:24

BEST AVAILABLE COPY

Attorney Docket No.020541

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

RECEIVED
CENTRAL FAX CENTER

DEC 14 2005

In Re Application of)
Nigel Robinson) For: A METHOD OF AND
Serial No. 10/537,837) APPARATUS FOR ADAPTIVE
Filed: June 6, 2005) CONTROL OF DATA
Group No. Unknown) BUFFERING IN A DATA
TRANSMITTER

RESPONSE TO NOTICE TO FILE MISSING PARTS OF APPLICATION

Mail Stop Missing Parts
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

In response to the Notice to File Missing Parts of Application - Filing Date Granted under 37 CFR § 1.53, which was mailed on October 6, 2005, enclosed are:

CERTIFICATE OF MAILING/TRANSMISSION (37 CFR 1.8(a))

I hereby certify that this correspondence is, on the date shown below, being:

MAILING

☐ deposited with the United States Postal Service with sufficient postage as first class mail, in an envelope addressed to the Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Depositor's Name: _____
(type or print name)

Date: December 14, 2005

FACSIMILE

☒ transmitted by facsimile to the Patent and Trademark Office.

Depositor's Name: Ann Andrews
(type or print name)

Signature: _____

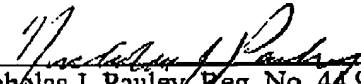
Attorney Docket No.020541

1. Office's copy of Form PTO-1533 as required; and
2. Executed Declaration/Power of Attorney.

Please charge Deposit Account No. 17-0026 of QUALCOMM Incorporated in the amount of \$130.00. The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment, to said Deposit Account No. 17-0026. A duplicate copy of this letter is enclosed. The Commissioner is further hereby authorized to charge to said Deposit Account No. 17-0026, pursuant to 37 CFR 1.25(b), any fee whatsoever which may become properly due or payable, as set forth in 37 CFR 1.16 to 37 CFR 1.18 inclusive, for the entire pendency of this application without specific additional authorization.

Respectfully submitted,

Dated: December 14, 2005

By: 
 Nicholas J. Pauley, Reg. No. 44,999
 Phone No. 858-845-8405

QUALCOMM Incorporated
 Attn: Patent Department
 5775 Morehouse Drive
 San Diego, California 92121-1714
 Telephone: (858) 658-5787
 Facsimile: (858) 658-2502

12/19/2005 LLANDGRA 00000027 170026 10537837

01 FC:1617 130.00 DA



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

U.S. APPLICATION NUMBER NO.	FIRST NAMED APPLICANT	ATTY. DOCKET NO.
10/537,837	Nigel Robinson	020541

23696
QUALCOMM, INC
5775 MOREHOUSE DR.
SAN DIEGO, CA 92121

INTERNATIONAL APPLICATION NO.	
PCT/GB03/05205	
I.A. FILING DATE	PRIORITY DATE
11/27/2003	12/06/2002

CONFIRMATION NO. 8684
371 FORMALITIES LETTER
OC000000017346587

Date Mailed: 10/28/2005

NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as a Designated / Elected Office (37 CFR 1.495).

- Copy of the International Application filed on 06/06/2005
- Copy of the International Search Report filed on 06/06/2005
- Copy of IPE Report filed on 06/06/2005
- U.S. Basic National Fees filed on 06/06/2005
- Priority Documents filed on 06/06/2005

NOV 0 8 2005

The applicant needs to satisfy supplemental fees problems indicated below.

The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the international application number and international filing date.
- To avoid abandonment, a surcharge (for late submission of filing fee, search fee, examination fee or oath or declaration) as set forth in 37 CFR 1.492(h) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.

SUMMARY OF FEES DUE:

Total additional fees required for this application is \$130 for a Large Entity:

- \$130 Surcharge.

ALL OF THE ITEMS SET FORTH ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTHS FROM THE DATE OF THIS NOTICE OR BY 32 MONTHS FROM THE PRIORITY DATE FOR THE APPLICATION,

WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

*A copy of this notice **MUST** be returned with the response.*

PATRICIA A BOOKER

Telephone: (703) 308-9140 EXT 204

PART 1 - ATTORNEY/APPLICANT COPY

U.S. APPLICATION NUMBER NO.	INTERNATIONAL APPLICATION NO.	ATTY. DOCKET NO.
10/537,837	PCT/GB03/05205	020541

FORM PCT/DO/EO/905 (371 Formalities Notice)

NOV 03 2005

Best Available Copy